

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ERIC MOSS,
Plaintiff,

v.

R. DIXON, et al.,
Defendants.

Case No. [11-cv-04706-WHO](#)

**ORDER REGARDING SUBSTITUTION
OF COUNSEL AND STAY**

Re: Dkt. Nos. 40, 41

The parties have filed a Stipulation and [Proposed] Order For Stay of Proceedings up to and including May 7, 2014 because plaintiff's counsel, Jeffrey Yazel, is about to be suspended from the practice of law in California and his client will need that amount of time to retain new counsel, learn the case and be prepared to proceed in this matter. The California State Bar website does not indicate that Yazel is currently suspended.

The Court will treat the Stipulation as a request by Yazel to withdraw as counsel for plaintiff Eric Moss. Given the impending suspension, the Court will overlook Yazel's failure to comply with Civil Local Rule 11-5 and GRANT the request, conditioned upon Yazel's filing a notice of substitution indicating the consent of Mr. Moss to represent himself pro se, assuming that Mr. Moss does not yet have a new attorney. The notice of substitution must include Mr. Moss's signature and contact information so that he can receive appropriate notices from the Court and opposing counsel. This information must be provided for the case to proceed--the Court does not currently have any information by which it can communicate with plaintiff if Yazel ceases representing Mr. Moss. The notice of substitution must be filed by **January 14, 2014.**

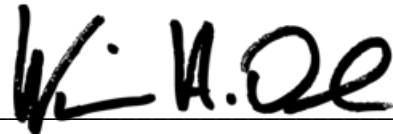
The lengthy stay requested by the parties is DENIED. This case has been pending since September 21, 2011. Inspection of the docket reveals that very little pretrial activity has occurred.

1 The Court recently set a trial date of December 8, 2014. The Court ORDERS a stay of discovery
2 and motion practice through **February 18, 2014**, on which date the Court will hold a Case
3 Management Conference at 2 p.m. Mr. Moss may appear by phone if he is still unrepresented.
4 The purpose of this Conference will be to determine whether Mr. Moss has found new counsel
5 and, if not, whether there is any purpose in continuing the stay or adjusting any of the deadlines
6 previously set by the Court.

7 Yazel shall serve this Order on Mr. Moss immediately and file a proof of service with
8 ECF. In the event no notice of substitution is filed within seven days, defendant shall serve Mr.
9 Moss with a copy of this Order at his last known address.

10 **IT IS SO ORDERED.**

11 Dated: January 7, 2014



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13 WILLIAM H. ORRICK
14 United States District Judge
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